

DISCUSSION OF THE AMENDMENT

Due to the length of the specification herein, Applicants will cite to the paragraph number of the published patent application (PG Pub) of the present application, i.e., US 2002/0192549, when discussing the application description, rather than to page and line of the specification as filed.

Claim 21 has been amended by changing the term “typical” to --other--, since metal elements in this art for M are inclusive of both transitional and non-transitional metal elements and thus, a typical metal element would be understood as meaning a metal other than a transition metal element. Claim 21 has been further amended by inserting that the solid electrolyte is --polymer-based--, as supported, for example, at paragraph [0065].

New Claims 25-30 have been added. Claim 25 is supported in the specification at paragraph [0078], [0079] and [0130]. Claims 26-28 are supported at paragraph [0079]. Claims 29 and 30 are supported at paragraph [0063].

No new matter is believed to have been added by the above amendment. Claims 17, 18 and 21-30 are now pending in the application.

REMARKS

The rejection of Claims 17, 21, 22 and 24 under 35 U.S.C. § 102(b) as anticipated by US 4,668,595 (Yoshino et al), is respectfully traversed. While Yoshino et al, under “Brief Description of the Drawings” refers to item 8 in Fig. 1 therein, described as showing a structure of the secondary battery of Yoshino et al’s invention, as “an electrolyte or solid electrolyte” (column 3, lines 49-55), all the further disclosure in Yoshino et al with regard to their electrolyte suggests that the above-discussed term “solid electrolyte” is incorrect or refers to a solid separator impregnated with a liquid electrolyte. Yoshino et al discloses that their secondary battery contains, *inter alia*, a separator and a nonaqueous electrolyte (column 11, lines 58-62), wherein the separator may be a porous membrane of synthetic resin (column 11, lines 63-66), but the battery is not disclosed as having a solid electrolyte. In addition, all the examples use a solution as the electrolyte, as shown, for example, in Example 1 (column 13, lines 38-40). Yoshino et al does not disclose a lithium secondary battery containing a polymer-based solid electrolyte. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 18, [21] and 22-23 under 35 U.S.C. § 102(b) as anticipated by US 5,147,738 (Toyoguchi), is respectfully traversed.¹ The only example of a solid electrolyte in Toyoguchi is Li₂SiO₃ (column 6, lines 14-15). However, Toyoguchi does not disclose the use of a polymer-based solid electrolyte. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claim 17 under 35 U.S.C. § 103(a) as unpatentable over Toyoguchi, and further in view of US 5,720,780 (Liu et al), is respectfully traversed. The Examiner relies on Liu et al’s disclosure of a homopolymer of polyvinylidene fluoride as a binder, for example, for a cathode. However, even if a polyvinylidene fluoride binder were used for the

¹ It is assumed that the Examiner also intended to include Claim 21 in the above-titled rejection.

cathode of Yoshino et al, the result would still not be the presently-claimed invention.

Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claim 24 under 35 U.S.C. § 103(a) as unpatentable over Toyoguchi, and further in view of Liu et al [sic, Handbook of Batteries (Linden)], is respectfully traversed. The Examiner relies on Linden for a disclosure of the use of a carbonaceous material as an anode in a lithium battery. However, even if a carbonaceous material were used as the anode of Yoshino et al, the result would still not be the presently-claimed invention. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 17, 18, 21 and 24 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Indeed, the rejection would now appear to be moot in view of the above-discussed amendment. Accordingly, it is respectfully requested that the rejection be withdrawn.

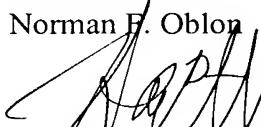
Applicants respectfully submit that all of the presently-pending claims in this application are now in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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